



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Here application of: Alexandre Ryabov et al.

Attorney Docket No.: IDTXP033

Application No.: 09/916,219

Examiner: Amanda H. Merlino

Filed: July 27, 2001

Group: 2877

Title: FINGERPRINT IMAGING DEVICE

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as first-class mail on February 26, 2004 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

Signed: \_\_\_\_\_

Valerie Olsen

**REQUEST FOR REFUND**

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**I. REFUND REQUEST**

This is a request for a refund of the fees incurred in filing a Notice of Appeal and a three (3) month extension for the subject patent application. A copy of check number 8728 in which the refund is requested, accompanies this request.

**II. FEES CHARGED FOR WHICH REFUND REQUESTED**

<u>Control No.</u>	<u>Check Number</u>	<u>Charges</u>
IDTXP033	8728	640.00

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

Applicants are submitting herewith a Notice of Appeal in response to the Final Office Action dated August 26, 2003.

A response to the Final Office Action was timely filed on November 12, 2003 (a copy of which is attached). The undersigned attorney spoke with the examiner handling the subject application, Examiner Merlino, on January 12, 2004. At that time, Applicants' attorney was informed that the examiner had not received Applicants' response to the Final Office Action. The examiner requested that a copy of the response be faxed to her. This was done on January 13, 2004 (a copy of the facsimile is also attached).

In a subsequent conversation, the examiner informed Applicants' attorney that she had not received the faxed copy of the response and that the file for the subject application had been lost by the Patent and Trademark Office (PTO). Applicants, after filing their response, have not received an Advisory Action or any other action from the PTO concerning the subject application.

Applicants are submitting a Notice of Appeal while the PTO continues to search for the file for the subject application. However, Applicants do not believe they should be responsible for the fees associated with the filing of the Notice of Appeal, including the extension fee. Applicants filed a timely response to the final Office Action. The PTO has, however, lost the file for the subject application, and thus prosecution of the application has been effectively blocked. As such, Applicants respectfully request a refund for these fees which total \$640.00.

#### IV. MANNER OF REFUND

Please make the refund by crediting Deposit Account No. 500388 (Control No. IDTXP033).

Dated: 2 / 26 / 09

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP



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William J. Egan, III  
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8/28

**BEYER WEAVER & THOMAS, LP**  
Commissioner of Patents & Trademarks

02/26/2004

INVOICE DATE	INVOICE NUMBER/REFERENCE	INVOICE AMOUNT	DISCOUNT	BALANCE
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02/26/2004	IDTXP033	\$640.00	\$0.00	\$640.00
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3 Month Extension Fee \$475.00; Notice of Appeal \$165.00

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Check Number: 8728

Check Total: \$640.00

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*[Signature]*

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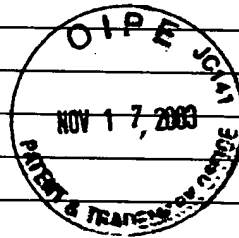
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Docket #	IDTXP033	By:	WJE/vo	Date of this mailing:	November 12, 2003
Appl'n # :	09/916,219	Filing Date:	07/27/01	Express Mail #	
Inv(s)	Alexandre Ryabov, et al.				
Title:	FINGERPRINT IMAGING DEVICE				

The following have been received in the U.S. Patent Office on the date stamped hereon:

Item	Description	# Pgs
1.	Amendment Transmittal w/certificate of mailing	1
2.	Amendment w/certificate of mailing	5
3.		
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